

UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

IN RE: STEPHANIE S. CARBAUGH	:	CHAPTER 13
Debtor	:	
	:	
GARNET HARRIS,	:	
Movant	:	
	:	
vs.	:	Case No. 1-09-bk-04713
	:	
STEPHANIE J. CARBAUGH,	:	
Respondent	:	

OBJECTION TO CONFIRMATION OF CHAPTER 13 PLAN

AND NOW, this 10th of September, 2009, comes Garnet Harris, creditor, by and through his counsel, Michael J. Connor, Esquire, of Walker, Connor & Johnson, LLC, and objects to the confirmation of the above-referenced debtor(s)' plan for the following reasons:

1. Creditor Harris' claim is a claim secured only by a security interest in debtor(s)' real property that is the debtor(s)' principal residence.
2. Creditor Harris' claim is not wholly unsecured.
3. Debtor(s)' plan violates 11 U.S.C. Sec. 1322(b)(2) in that the debtor seeks to modify a claim secured only by a security interest in real property that is the debtor(s)' principal residence.
4. Movant alleges and avers that debtor(s)' plan is non-confirmable and therefore debtor's case should be dismissed.

WHEREFORE, Movant prays that this Honorable Court will:

- a. Deny confirmation of the debtor(s)' plan.
- b. Dismiss or convert debtor(s)' case.
- c. Provide such other relief as is equitable and just.

Respectfully submitted,

WALKER, CONNOR & JOHNSON, LLC

By: /s/ Michael J. Connor

Michael J. Connor, Esquire
Attorney I.D. No.#75927
247 Lincoln Way East
Chambersburg, PA 17201
(717) 262-2185
Attorney for Creditor, Garnet Harris

CERTIFICATE OF SERVICE

AND NOW, this 10th day of September, 2009, I hereby certify that I have served the within Objection by electronically notifying parties or by depositing a true and correct copy of the same in the United States Mail at Harrisburg, Pennsylvania, postage prepaid, first class mail, addressed to the following:

Steven Miner, Esquire
1035 Mumma Road, Suite 101
Wormleysburg, PA 17043

Charles J. DeHart, III
Standing Chapter 13 Trustee
8125 Adams Drive, Suite A
Hummelstown, PA 17036

WALKER, CONNOR & JOHNSON, LLC

By: /s/ Michael J. Connor
Michael J. Connor, Esquire
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Attorney for Creditor, Garnet Harris